

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MARY L. "NICKI" M. BOLAND

PLAINTIFF

VS.

CIVIL ACTION NO. 3:17-cv-803-DPJ-RHW

MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY

DEFENDANT

VERDICT FORM

Consistent with all of the instructions you have been given, please answer the following questions with your unanimous verdict.

Discriminatory-Termination Claim

1. Has Plaintiff Nicki Boland proved by a preponderance of the evidence that her being a female, or being a white female was a motivating factor in her discharge from employment?

Yes

No

If you answered "Yes" to Question No. 1, proceed to Question No. 2. If you answered "No" to Question No. 1, proceed to Question No. 4.

2. Even if Boland has proven that being a female, or being a white female motivated DPS to terminate her employment, do you find that Defendant DPS proved by a preponderance of the evidence that it would have terminated Boland's employment anyway?

Yes

No

If you answered "No" to Question No. 2, proceed to Question No. 3. If you answered "Yes" to Question No. 2, proceed to Question No. 4 without answering Question No. 3.

3. What amount of damages do you award Plaintiff on her discriminatory-termination claim?

For lost income and employment benefits: \$ _____

For emotional distress, worry, or loss of enjoyment of life: \$ _____

Proceed to Question No. 4.

Equal Pay Act Claim

4. Do you find that Plaintiff Nicki Boland has proved by a preponderance of the evidence that she was paid less wages than male employees for equal work on jobs, the performance of which required equal skill, effort, and responsibility, and which was performed under similar working conditions?

No

If your answer is "No," this ends your deliberations, and your foreperson should sign and date the last page of this verdict form. If your answer is "Yes," go to the next question.

5. Do you find that Defendant DPS has proved by a preponderance of the evidence that the differential in pay between the two jobs was based on a factor other than sex?

No

If your answer is "Yes," this ends your deliberations, and your foreperson should sign and date the last page of this verdict form. If your answer is "No," go to the next question.

6. What amount of lost compensation has Plaintiff Nicki Boland proved by a preponderance of the evidence?

\$ _____

Proceed to the next question.

7. Has the Defendant proved by a preponderance of the evidence that any difference in wages was based upon Defendant's good-faith belief that it was not violating the law with respect to wages?

Yes _____

No _____

Foreperson _____

Dated: January 29, 2020